IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

in Re Application of:

Brown et al.

Application No.:

09/197,278

Filed:

November 20, 1998

For:

Improved Longitudinally Flexible Expandable Stent

Examiner:

Vy Q. Bui

Group Art Unit:

3731

Commissioner for Patents Washington, D.C. 20231

Docket No.: S63.2-6769

FACSIMILE TRANSMITTAL LETTER

TO: Examiner Bui

FACSIMILE NO.: 703-746-3302

GROUP ART UNIT: 3731

TOTAL NUMBER OF PAGES (including cover letter):

DATE: February 26, 2003

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Per your facsimile of February 26, 2003, following please find a copy of the 4 page Seventh Supplemental Information Disclosure Statement, 1 page modified PTO Form 1449; copy of 1 reference; 1 page Facsimile Transmittal Letter filed via facsimile on February 18, 2003 and the Auto-Reply Facsimile Transmission received from the USPTO on February 18, 2003.

If a fee is required, Commissioner of Patents is hereby authorized to charge Deposit Account No. 22-0350 for any required fees.

Respectfully Submitted,

VIDAS, ARRETT & STEINKRAUS, P.A.

Late: February 26, 2003

Reg. No. 41,795

6109 Blue Circle Drive, Suite 2000

Mnnetonka, MN 55343-9185

Telephone: (952) 563-3000

Facsimile: (952) 563-3001

Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and

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Signature:

Rebecca M. Painschab

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Page 001

TO:Auto-reply fax to 9525633001 COMPANY:

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UNITED STATES
PATENT AND
TRADEMARK OFFICE

TO:

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2/18/03 5:07:09 PM [Eastern Standard Time]

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TO THE UNITED STATES PATENT AND TRADEMARK OFFICE IN READPlication of Brown et al. Application of November 20, 1998 November 2	02 18:14 FAT 852362	001 VIDAS ARESTI STEINGHAUS	9101/016
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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! pplication No.:

09/197,278

∷iled:

November 20, 1998

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Improved Longitudinally Flexible Expandable Stent

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Vy Q. Bui

Croup Art Unit:

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Cammissioner for Patents

Wishington, D.C. 20231

Docket No.: \$63.2-6769

FACSIMILE TRANSMITTAL LETTER

I(): Examiner Bui

FACSIMILE NO.: 703-872-9302

GROUP ART UNIT: 3731

I () TAL NUMBER OF PAGES (including cover letter):

DATE: February 18, 2003

TIME: _²

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Respectfully Submitted,

VIDAS, ARRETT & STEINKRAUS, P.A.

Tiere: February 18, 2003

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Application No.:

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TO: Examiner Bui

FACSIMULE NO.: 703-872-9302

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Respectfully Submitted,

VIDAS, ARRETT & STEINKRAUS, P.A.

Date: February 18, 2003

6 .09 Blue Circle Drive, Suite 2000

N nnetonka, MN 55343-9185

Telephone: (952) 563-3000 Facsimile: (952) 563-3001

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I acreby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 703-872-9302, on February 18, 2003.

Signature: _____

Rebecca M. Painschab

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Brian J. Brown, Michael Davis, David Friesen,

Timothy J. Lcy and Sean P. Skubitz

Application No.:

09/197278

Filed:

November 20, 1998

For:

IMPROVED LONGITUDINALLY FLEXIBLE

EXPANDABLE STENT

Examiner:

Vy Q. Bui

Group Art Unit:

3731

Commissioner for Patents Vashington, D.C. 20231

Docket No.: S63.2B-6769-US

SEVENTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Listed below or on an attached Form PTO-1449 and/or a copy of a PTO-892 form is information known to applicant(s). A copy of each listed publication, U.S. patent, foreign p itent and U.S. patent application is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98, except that U.S. applications from which priority is claimed under 35 U.S.C. §120, and documents cited in such p iority applications, may be omitted from the enclosures pursuant to 37 C.F.R. 1.98(d). Applicant's submission of copies of U.S. applications does not constitute a waiver of the confidentiality of such applications. As such, Applicant requests that any copies of unpublished US applications submitted herewith be excluded from the file wrapper pursuant to 37 C.F.R. §1.14.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 or PTO-892 from a prior application is enclosed, the Examiner is requested to initial and return it in a cordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.



Application No. 09/197278 Page 2

Seventh Supplemental Information Disclosure Statement Attorney Docket No. S63.2B-6769-US

Applications that are listed on the accompanying modified form 1449 as related by priority are related by priority claim under 35 USC §120. Pursuant to 37 CFR §1.98(d), no ecpies of cited art in a previous application(s) to which priority was claimed need be submitted. Applicant is providing copies of the 1449 and/or 892 forms from these cases.

_ <u>X_</u> I. Th	is statem	ent qualifies as a no-fee Information Disclosure Statement under 37 C.F.R.
§.'.97(b) or o	therwise	because to the knowledge of the undersigned attorney it is being filed
(check all tha	it apply):	
	_ (1)	within 3 months of the filing date of the application (other than a CPA); or
	<u>(2)</u>	within 3 months of entry of the national stage; or
	_ (3)	before the mailing of a first Office Action on the merits;
<u> X</u>	_ (4)	before the mailing of a first Office Action after the filing of a request for
		continued examination (RCE) under §1.114;
	_ (5)	as part of a continued prosecution application (CPA); or
	_ (6)	during the period of a suspension of action for a CPA under 37 C.F.R.
		§1.103(b).
n. T	his state:	ment is believed to require a fee or the submission of a certification under
37 C.	F.R. §1	97 (c) or otherwise. If this statement is being filed after the latest of: (1)
three	months	beyond the filing date of a national application (other than CPA); (2) three
mont	hs beyor	nd the date of entry of the national stage as set forth in §1.491 in an
interr	national a	application; (3) the mailing of a first Office Action on the merits; (4) the
maili	ng of a f	irst Office Action after the filing of a request for continued examination
unde	r §1.114;	or (5) after the filing of a request for a continued prosecution application,
but b	efore the	mailing date of the earlier of a final office action under §1.113, a notice of
allow	vance un	der §1.311 or an action that otherwise closes prosecution in the application,
then:		
•	_ (1)	a certification as specified in §1.97(e) is provided below; or
	(2)	a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or
		included with the payment of other papers filed together with this
		statement.



Seventh Supplemental Information Disclosure Statement Application No. 09/197278 Attorney Docket No. S63.2B-6769-US Page 3 III. 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113, a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, but before payment of the issue fee, then: a certification as specified in §1.97(e) is completed below; and __ (1) a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or (2)included with payment of other papers filed together with this statement. X IV. Fee Authorization. If any fee is due for consideration of this Information Disclosure Statement and full payment has not been submitted herewith, regardless of which boxes have been checked above, the Commissioner is hereby authorized to charge any additional fees associated with this communication to Deposit Account No. 22-0350. The Commissioner is hereby authorized to credit any overpayment associated with this communication to Deposit Account No. 22-0350. If paragraph II.1 or III is checked, also check one of the paragraphs below I hereby certify, under 37 CFR §1.97(e)(1), that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the date of the filing of this information disclosure statement. I hereby certify, under 37 CFR §1.97(e)(2), that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the

For the purpose of this certification, Applicant considers the PCT International Search Authority to constitute a foreign patent office.

than three months prior to the filing of the Information Disclosure Statement.

information disclosure statement was known to any individual designated in 1.56(c) more



Application No. 09/197278
Page 4

Seventh Supplemental Information Disclosure Statement Attorney Docket No. S63.2B-6769-US

If this Seventh Supplemental Information Disclosure Statement has been submitted without the appropriate box checked, Applicant requests that this Seventh Supplemental Information Disclosure Statement be considered nevertheless if it is timely submitted under any of the provisions of 37 C.F.R. §1.97 or otherwise. Finally, if any petition is necessary to ensure consideration of this Seventh Supplemental Information Disclosure Statement, Applicant requests that this be treated as such a petition.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS

Date: February 18, 2003

Registration No.: 41795

6109 Blue Circle Drive, Suite 2000 Minnetonka, MN 55343-9185 Telephone: (952) 563-3000 Facsimile: (952) 563-3001 ft/wpwork/jg/06769us_ids_20030218.doc

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